

0490-0335

(Do Not Write Above This Line)

ORDINANCE BY
COUNCILMEMBER/DERRICK BOAZMAN

AUTHORIZING THE MAYOR TO GRANT A PERMANENT CONSTRUCTION AND MAINTENANCE AND SEWER EASEMENT TO THE KNIGHT GROUP FOR THE PURPOSE OF UPGRADING THE OUTFALL SEWER LINE ON THEIR PROPERTY TO REDUCE SEWAGE OVERFLOW AND MASSIVE AMOUNTS OF GROUND WATER INFILTRATION LOCATED IN LAND LOTS 8, 35, 62, 63 AND 67 OF THE 12TH DISTRICT, FULTON COUNTY, GEORGIA AT THE CITY'S EMPIRE PARK; THE KNIGHT GROUP WILL PAY ALL COSTS ASSOCIATED WITH THIS INSTALLATION, CONSTRUCTION AND MAINTENANCE SERVICES REQUIRED FOR THIS SEWER EASEMENT REQUEST ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS; AND FOR OTHER PURPOSES.

ADOPTED BY

MAR 1 5 2004

As Amended **COUNCIL**

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☒ PERSONAL PAPER REFER

Date Referred 2/6/04

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred to _____

Committee

Date

Chair

Action:

Fav. Adv. Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav. Adv. Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☒ Consent ☐ V Vote ☐ RC Vote

CERTIFIED
MAR 1 5 2004

ATLANTA CITY COUNCIL PRESIDENT

Alton W. Hayward

CERTIFIED
MAR 1 5 2004

Paula Davidson Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAR 2 4 2004

WITHOUT SIGNATURE
BY OPERATION OF LAW

ORDINANCE BY
COUNCILMEMBER DERRICK BOAZMAN



AUTHORIZING THE MAYOR TO GRANT A PERMANENT CONSTRUCTION AND MAINTENANCE AND SEWER EASEMENT TO THE KNIGHT GROUP FOR THE PURPOSE OF UPGRADING THE OUTFALL SEWER LINE ON THEIR PROPERTY TO REDUCE SEWAGE OVERFLOW AND MASSIVE AMOUNTS OF GROUND WATER INFILTRATION LOCATED IN LAND LOTS 8, 35, 62, 63 AND 67 OF THE 12TH DISTRICT, FULTON COUNTY, GEORGIA AT THE CITY'S EMPIRE PARK; THE KNIGHT GROUP WILL PAY ALL COSTS ASSOCIATED WITH THIS INSTALLATION, CONSTRUCTION AND MAINTENANCE SERVICES REQUIRED FOR THIS SEWER EASEMENT REQUEST ON BEHALF OF THE DEPARTMENT OF PARKS, RECREATION AND CULTURAL AFFAIRS; AND FOR OTHER PURPOSES.

Whereas, The Knight Group has requested to assist their proposed development, a permanent construction and maintenance and sewer easement in the City's Empire Park, located in Land Lots 8, 35, 62, 63 and 67 of the 12th District of Fulton County, Georgia, for the purpose of upgrading the outfall sewer line on their property to reduce sewage overflow and massive amounts of ground water infiltration and once the upgrade has been completed it is their plan to sewer their project through a manhole located in the City's Empire Park in southwest Atlanta; and

Whereas, The Knight Group is currently working on a development project in Hapeville off of Browns Mill Road and Empire Boulevard, called Monticello, which includes 27 single family and 371 town home dwellings with an amenity center; and

Whereas, The Knight Group will be paying for the costs of the construction and maintenance and sewer easement at no cost to the City of Atlanta; and

Whereas, The Knight Group is requesting this permanent construction and maintenance and sewer easement to accomplish the tasks identified above, because, no easement exist which would give them access to the manhole inside Empire Park; and

Whereas, a permanent construction and maintenance and sewer easement is required to facilitate the required improvements within this proposed project, located in Land Lots 8, 35, 62, 63 and 67 of the 12th District of Fulton County, Georgia.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA,
as follows:

Section 1: That the Mayor be and is hereby authorized to grant a permanent construction and maintenance and sewer easement to The Knight Group, for the purpose of upgrading the outfall sewer line on their property to reduce sewage overflow and massive amounts

of ground water infiltration, located in Land Lots 8, 35, 62, 63 and 67 of the 12th District, Fulton County, Georgia, on behalf of the Department of Parks, Recreation and Cultural Affairs.

Section 2: That the Commissioner of the Department of Watershed Management acting as the Mayor's designee, is authorized to review and approve the terms and conditions of the permanent construction and maintenance and sewer easement as described and delineated in the easement package, attached hereto, as Exhibit "A", and made a part hereof by reference.

Section 3: That The Knight Group will be responsible for the payment of all costs associated with this permanent construction and maintenance and sewer easement, at no cost to the City of Atlanta.

Section 4: That the City Attorney is hereby directed to review and approve the terms and conditions of the permanent construction and maintenance and sewer easement prior to execution by the Mayor.

Section 5: That all Ordinances and parts of Ordinances in conflict herewith be and the same hereby are repealed.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED as amended by Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

March 15, 2004

March 24, 2004



Rec'd in MSO - Feb. 16, 2004
Development • Homes • Neighborhoods • Realty

February 3, 2004

Mr. Derrick Boazman
CITY OF ATLANTA
55 Trinity Avenue S.W.
Atlanta, GA 30303

Dear Mr. Boazman:

My company, The Knight Group, Inc., is currently working on a development in Hapeville off of Browns Mill Road and Empire Boulevard, called Monticello. Monticello includes 27 single family and 371 town home dwellings with an amenity center. I am not sure if you recall the development, however, you were instrumental in the rezoning of the project and we are thankful for your past support.

At present, we are working with the City to obtain a Land Disturbance Permit and are a few weeks away from completing the process. We are also in the process of upgrading the outfall sewer line on our property to reduce sewage overflow and massive amounts of ground water infiltration. Once we complete the upgrade, it is our plan to sewer our project through a manhole located in Empire Park.

Presently, no easement exists which would give us access to the manhole inside the park, therefore, we need to obtain an approval of the easement from the City Council. We are respectfully requesting your assistance in obtaining this approval and would ask that you would introduce the proposed easement in the upcoming City Council meeting. You will find attached an exhibit outlining the easement we are proposing.

In closing, we again thank you for assistance with this project. We understand you are busy and we appreciate you taking the time to consider our request. I will follow up with your office to gain any feedback you may have or requests for additional information.

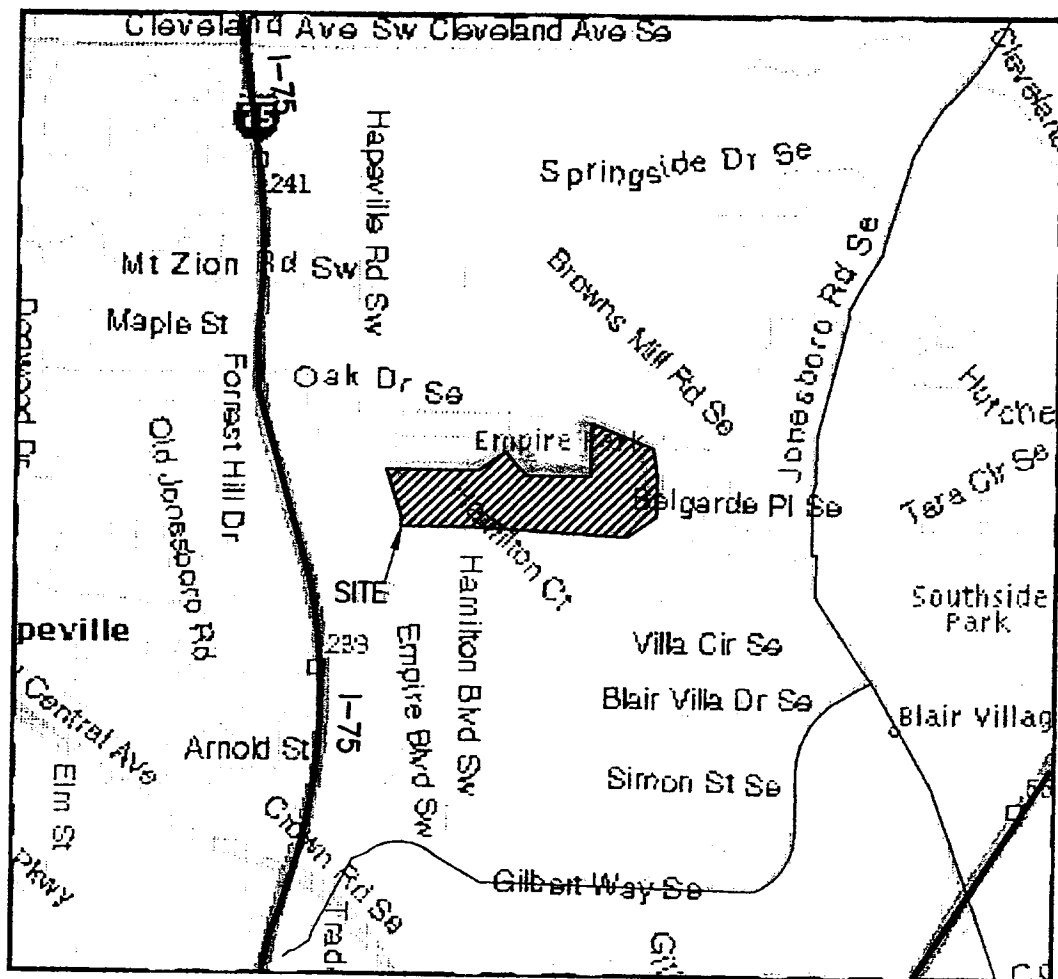
Sincerely,

R. Neil Koelbl
Land Development Manager

/rnk

cc: Jay Lowery, Department of Parks and Recreation

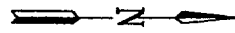
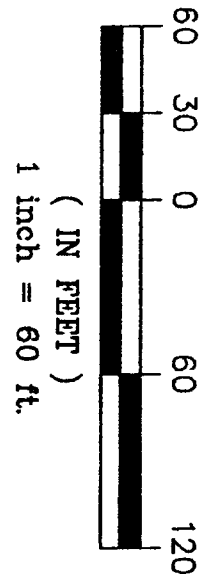
Enclosure



VICINITY MAP 1"=1600'+/-

LOCATED IN
 LAND LOTS 8, 35, 62, 63, & 67
 CITY OF ATLANTA, FULTON COUNTY, GEORGIA

REFERENCE: BOUNDARY SURVEY PREPARED BY
PBS&J, DATED APRIL 28, 2003.



N/F
CITY OF ATLANTA
EMPIRE PARK

15" DIP

SSMH 2371
TOP = 856.72'
INV. IN (2546) = 838.90'
INV. OUT (2544) = 838.90'

N 89°23'08" E
1000.00'

TIE LINE
N 88°44'55" W 520.20'

20' ESMT.

PROPOSED TIE-IN
TO EXISTING
SANITARY MANHOLE

15" DIP

8" DIP

1401 1402 1403 1404 1405 1406

1501 1502 1503 1504 1505

1601 1602 1603 1604 1605 1606

1701 1702

N 00°36'52" W
450.00'

MONTICELLO PARK
CITY OF ATLANTA

FIGURE 2



COMMITTEE AMENDMENT FORM

DATE: 03/9/04

COMMITTEE CITY UTILITIES PAGE NUM. (S) 2

ORDINANCE I. D. #04-O-0335 SECTION (S) 2

RESOLUTION I. D. #04-R- PARA.

AMENDS THE LEGISLATION BY ADDING DELETING THE COMMISSIONER OF PARKS, RECREATION AND CULTIURAL AFFAIRS AND REPLACE IT WTH THE COMMISSIONER OF WATERSHED MANAGEMENT.

AMENDMENT DONE BY COUNCIL STAFF.

WAG
OK

of ground water infiltration, located in Land Lots 8, 35, 62, 63 and 67 of the 12th District, Fulton County, Georgia, on behalf of the Department of Parks, Recreation and Cultural Affairs.

Section 2: That the Commissioner of the Department of Watershed Management acting as the Mayor's designee, is authorized to review and approve the terms and conditions of the permanent construction and maintenance and sewer easement as described and delineated in the easement package, attached hereto, as Exhibit "A", and made a part hereof by reference.

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